

**LICENSING
COMMITTEE**

25th November 2013

WORCESTER ROAD HACKNEY CARRIAGE STAND - UPDATE

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To provide members with details of the responses received during the public consultation on the proposal to amend the Worcester Road Hackney Carriage stand to incorporate a further 7/8 ranks spaces approximately.

2. RECOMMENDATIONS

Members are asked to RESOLVE whether to:

- (a) proceed with the current proposal,**
- (b) ask officers to explore other options for creating additional rank spaces in the Worcester Road area, or**
- (c) not proceed with the proposal to provide additional rank spaces in the Worcester Road area.**

3. KEY ISSUES

Financial Implications

- 3.1 The cost of any public notices and other administrative costs have so far been met from existing budgets held by Worcestershire Regulatory Services and any additional costs would have to be met by the same budgets if other options are pursued.
- 3.2 The cost of amendments to the Traffic Regulation Order will be met by the Highways Authority; who is also responsible for marking out of any changes to the road.

**LICENSING
COMMITTEE**

25th November 2013

Legal Implications

- 3.3 Licensing Authorities have power under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to create, amend and revoke Hackney Carriage Stands (ranks). This allows district councils to “appoint stands for Hackney Carriages” either on public highways or private land and the stands can be for either continual or part-time use.
- 3.4 Under the Local Government (Miscellaneous Provisions) Act 1976 s63 a district council is required to publish a notice in a local newspaper and wait 28 days from publication, after which Members will need to consider any written representations of objections made.
- 3.5 Before appointing any stand for hackney carriages or varying the number of hackney carriages to be at each stand a district council is required to give notice to the chief officer of police.
- 3.6 Additionally a district council cannot create a Hackney Carriage stand:
- (a) so as unreasonably to prevent access to any premises;
 - (b) so as to impede the use of any points authorised to be used in connection with a local service within the meaning of the Transport Act 1985 or PSV operator’s licence granted under the Public Passenger Vehicles Act 1981, as points for the taking up or setting down of passengers, or in such a position as to interfere unreasonably with access to any station or depot of any passenger road transport operators, except with the consent of those operators;
 - (c) on any highway except with the consent of the highway authority;
- 3.7 The Traffic Regulation Order for Worcester Road would need to be amended and Worcestershire County Council’s Highways Unit has the power to do this. There is also statutory consultation period as part of their process.

Service / Operational Implications

- 3.8 At the Licensing Committee meeting that took place on 20th May 2013, Members considered a report concerning a request from the Bromsgrove Taxi Association with support from the West Mercia Police to amend the Worcester Road Hackney Carriage stand to incorporate a further 7/8 ranks spaces.

**LICENSING
COMMITTEE**

25th November 2013

- 3.9 The Licensing Committee agreed with this proposal and resolved to carry out a public consultation on the proposal.
- 3.10 The funding for the works to the carriageway necessary to facilitate the extension of the stand was anticipated to be provided as part of the project to regenerate the High Street in Bromsgrove.
- 3.11 Following the Licensing Committee meeting on 20th May 2013, the start of the consultation was delayed to allow officers extra time to confirm the availability of this funding and a number of discussions and meetings took place between officers. It has subsequently been confirmed that the funding is available.
- 3.12 In the intervening period officers from Worcestershire Regulatory Services have also been engaged in dialogue with the relevant officers from West Mercia Police and the Highways Department of Worcestershire County Council and have met on site to discuss the proposal.
- 3.13 Now that it has been confirmed that the funding for the required works is available, the public consultation on the extension of the Hackney Carriage stand has been commenced. A plan showing the location of the proposed Hackney Carriage stand can be seen at Appendix 1.
- 3.14 The required public notice was published in the Bromsgrove Standard newspaper on Friday 13th September 2013.
- 3.15 Consultation letters were sent to all the proprietors of vehicles licensed by the Council for use as Hackney Carriages.
- 3.16 Consultation letters were also been delivered to residents and businesses in the vicinity of the proposed Hackney Carriage stand.
- 3.17 The consultation ran until 11th October 2013 and during the consultation a number of comments and objections were received from various parties. The responses that were received during the consultation can be seen at Appendix 2.
- 3.18 Various representatives of businesses located in Worcester Road have made comments and raised objections to the proposal.
- 3.19 The Traffic Management Advisor for West Mercia Police has also indicated that they cannot support the present proposal
- 3.20 A Senior Traffic Management Engineer for Worcestershire County Council Highways has said that they also have concerns about the proposal.

**LICENSING
COMMITTEE**

25th November 2013

3.21 In light of the responses received, Members are asked to consider and resolve how they wish to proceed.

4. RISK MANAGEMENT

4.1 The main risk associated with the detail included in this report is:

- To ensure that public transport is readily available, accessible and effective in contributing to the night time economy.

5. APPENDICES

Appendix 1 – Location Plan

Appendix 2 – Copy of responses received during consultation

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